



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

■ Ellicott City, Maryland 21043 ■

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

September 8, 2016

Mrs. Gilliece
Gilliece Gamily LLC
13111 Linden Church Road
Clarksville, MD 21029-1174

Dear Mrs. Gilliece:

RE: WP-16-133, (Reconsideration) Walker Meadows,
(SP-16-006)

The Director of the Department of Planning and Zoning reconsidered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your reconsideration request for an alternative compliance of **Section 16.116(a)** which prohibits grading, removal of vegetative cover and trees, paving and new structures within 100-feet of a perennial streambank, and within 25 feet of a wetland.

Approval is subject to the following conditions:

1. Compliance with the Subdivision Review Committee comments issued for SP-16-006.
2. An equestrian trail easement must be established which provides connectivity between the Walker Meadows subdivision to the Patapsco State Park parcel owned by DNR. The final alignment, construction, and maintenance responsibilities for the equestrian trail system to the State Park will be coordinated with the Department of Recreation and Parks and determined at the final plan stage.
3. The applicant shall obtain all required authorizations and permits from the Maryland Department of Environment and U.S. Army Corps of Engineers for any disturbances within the 100-year floodplain, wetlands, streams and their buffers. Reference any applicable MDE or USACOE permits or tracking numbers on the subdivision plan, building or grading permits.
4. No disturbance is permitted beyond the limit of disturbance as shown on the alternative compliance exhibit unless it can be sufficiently demonstrated by the applicant to be justified. Best management practices for grading and driveway construction shall be used by the contractor to limit disturbance.
5. The alternative compliance number and its conditions of approval must be added to all subdivision plans and final plat.
6. The developer shall install a bottomless arch culvert for the driveway crossing of the stream.

Our decision was made based on the following:

Extraordinary Hardship or Practical Difficulty – The extraordinary hardship or practical difficulty involved with this alternative compliance request would require the developer to forfeit a buildable parcel, and the proposed equestrian trail would be eliminated along with DNR receiving an access easement to their adjacent parcel. The disturbance to the environmental features will be minimized to the extent needed to provide reasonable access. Without the granting of the alternative compliance request, the developer will not have access to a portion of the property which will require maintenance. In addition, the horse trails and DNR access will be eliminated from this portion of the property. This portion of the property has restricted road frontage without the necessity for the stream crossing to access the buildable portion of Parcel A. Driveway access for this parcel is already provided with an existing culvert crossing in place for a farm access drive. This location was selected because of the existing established stream crossing will minimize the disturbance and impact to the stream buffer. Approval of this alternative compliance petition request is only to re-affirm the existing stream crossing for a residential driveway for reasonable access to a 10 acre landlocked portion of the property.

Not Detrimental to the Public Interest - Approval of the alternative compliance request will not alter the essential character of the neighborhood and will not substantially impair the appropriate use or development of the surrounding residential properties. Granting of the request for the environmental disturbances for the trail, easement and driveway, will provide all parties with their desired access. In addition, the developer will be able to maintain a large portion of the property which would otherwise be landlocked without allowing the environmental disturbance.

Will Not Nullify the Intent or Purpose of the Regulations – Approval of this alternative compliance request will not nullify the intent or purpose of the regulations but will allow the developer the ability to access a portion of their property which would otherwise be landlocked because of the environmental features. The developer will be required to receive all required permits from Maryland Department of Environment and U.S. Army Corps of Engineers. In addition, the disturbance will be minimized to only the amount of disturbance needed to provide a single access which will serve as access to the buildable preservation and, the proposed equestrian trail/DNR access to their adjacent parcel. This area has already been disturbed for farming operations and an existing farm access road crossing already exists within the stream buffer.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested alternative compliance will remain valid for one year from the date of this letter or as long as this subdivision remains in active processing.

If you have any questions, please contact Brenda Luber at (410) 313-2350 or email at BLuber@howardcountymd.gov.

Sincerely,



Kent Sheubrooks, Chief
Division of Land Development

KS/BL

cc: Research
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